

FINAL BILL REPORT

SHB 2654

C 134 L 06

Synopsis as Enacted

Brief Description: Prohibiting certification of sex offenders as sex offender treatment providers.

Sponsors: By House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Darneille, Strow, O'Brien, Lantz, Rodne, Simpson, Clibborn, McDonald, Conway, Miloscia, B. Sullivan and Ericks).

House Committee on Criminal Justice & Corrections
Senate Committee on Human Services & Corrections

Background:

The Department of Health (DOH) is authorized to: issue certified and certified affiliate sex offender treatment provider certifications; determine minimum education, experience, and training requirements; and deny certification in accordance with the Uniform Disciplinary Act.

The DOH has the authority to issue an affiliate certificate to any person who:

- successfully completes the education requirements or other alternative training that meets the criteria and approval of the DOH;
- successfully completes the examination administered by the DOH;
- shows proof that he or she is being supervised by a certified sex offender treatment provider;
- has not engaged in unprofessional conduct or has not been unable to practice with reasonable skill and safety as a result of a physical or mental impairment; and
- has met any other requirements as established by the DOH that impact the competence of the sex offender treatment provider.

Only certified sex offender treatment providers and certain experienced certified affiliate providers may provide:

- evaluations for offenders eligible for the Special Sex Offender Sentencing Alternative (SSOSA) and the Special Sex Offender Disposition Alternative (SSODA);
- treatment to convicted or adjudicated sex offenders who were sentenced and ordered into treatment as part of a court order; and
- treatment to sexually violent predators released to a less restricted alternative (LRA) unless specified exceptions apply.

Similar to certified sex offender treatment providers, certified affiliate sex offender treatment providers may provide treatment to sex offenders. However, only certified providers or those certified affiliate sex offender treatment providers that have completed at least 50 percent of the required hours under the supervision of a certified provider, may perform evaluations for

offenders eligible for the SSOSA and SSODA programs as well as provide treatment to convicted level III sex offenders and sexually violent predators released to a LRA. All other affiliate treatment providers are prohibited from providing evaluations and treatment to such sex offenders.

A certified or certified affiliate sex offender treatment provider may not provide treatment to sexually violent predators if the provider has been convicted of a sex offense or restricted from practicing within the health care profession. These same restrictions do not apply to certified or certified affiliate sex offender treatment providers who provide treatment to other sex offenders who are not classified as sexually violent predators.

A certified affiliate sex offender treatment provider is a licensed, certified, or registered health professional who is certified as an affiliate to examine and treat sex offenders and sexually violent predators under the supervision of a certified sex offender treatment provider. Certified affiliates meet all the requirements that full certified providers meet, except for the clinical experience.

Summary:

A certified or certified affiliate sex offender treatment provider may not provide treatment to any type of convicted sex offender if the provider has been convicted of a sex offense.

The DOH may not issue a certificate or affiliate certificate to any sex offender treatment provider that has been convicted of a sex offense.

Votes on Final Passage:

House	98	0
Senate	47	0

Effective: June 7, 2006